



General Assembly

**Substitute Bill No. 5203**

January Session, 2011

\* \_\_\_\_HB05203ENV\_\_032211\_\_\_\_ \*

**AN ACT AUTHORIZING AN AGRICULTURAL CONSERVATION  
EASEMENT ON THE LANDS OF THE SOUTHBURY TRAINING  
SCHOOL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (*Effective from passage*) (a) Notwithstanding any provision  
2       of the general statutes, the Commissioner of Developmental Services,  
3       in consultation with the Commissioner of Agriculture, may grant to a  
4       nonprofit organization, as defined in Section 501(c)(3) of the Internal  
5       Revenue Code of 1986, or any subsequent corresponding internal  
6       revenue code of the United States, as amended from time to time, an  
7       easement on land located in the towns of Southbury and Roxbury and  
8       that is known as the Southbury Training School. The mission of such  
9       nonprofit organization shall include, but not be limited to, the  
10      permanent protection of agricultural lands for the purpose of  
11      agricultural use. Such easement shall allow for the conservation of the  
12      subject land as agricultural land and shall authorize such nonprofit  
13      organization to lease any portion of the subject land to one or more  
14      persons for the purpose of engaging in agriculture, as described in  
15      section 1-1 of the general statutes. Such easement shall have an area as  
16      recommended by the Farmland Preservation Advisory Board in a  
17      report submitted pursuant to special act 09-8. Such easement shall be  
18      subject to the approval of the State Properties Review Board.

19      (b) Such nonprofit organization shall use such easement for the

20 purpose of preserving such land as agricultural lands. If such  
21 nonprofit organization:

22 (1) Does not use such easement for said purpose; or

23 (2) Does not retain ownership of all of such easement,

24 the easement shall revert to the state of Connecticut.

25 (c) Such easement shall be granted (1) subject to the right of the state  
26 to (A) pass and repass over and on such easement of land for the  
27 purpose of accessing lands of the state, and (B) place and maintain  
28 over, under and on said easement of land existing and future utilities,  
29 including, but not limited to, electrical, water, sanitary, sewer,  
30 telecommunications and gas, and (2) subject to any rights and  
31 easements with regard to such easement that the state deems necessary  
32 to meet its governmental obligations.

33 (d) The State Properties Review Board shall complete its review of  
34 such easement of land not less than thirty days after it receives a  
35 proposed agreement from the Department of Developmental Services.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

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**ENV**      *Joint Favorable Subst.*